

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

Amber Golsby,)	
)	Index No. 1:13-cv-00470-JTC
Plaintiff,)	
)	PLAINTIFF'S ACCEPTANCE OF
vs.)	DEFENDANT'S RULE 68 OFFER OF
)	JUDGMENT
AUDUBON FINANCIAL)	
BUREAU, LLC A DELAWARE)	
LIMITED LIABILITY COMPANY,)	
AND ADAM D. MARCH,)	
INDIVIDUALLY,)	
Defendants.)	

Take notice that the Plaintiff accepts the offer of judgment offered by the Defendant, Audubon Financial Bureau, LLC, dated September 27, 2013, allowing Plaintiff to take judgment in this action on all claims in the Complaint and in favor of Plaintiff, as follows:

1. The total sum of \$1,000.00, together with costs of \$400, plus reasonable attorney's fees incurred through the date of service of this Offer as to be agreed to by the parties or as determined by the Court; and
2. The amounts set forth in paragraph 1 above are inclusive of all damages, fees, costs, and any and all other claimed relief; and
3. This Offer is made solely for the purposes specified in Rule 68 and is not to be construed as an admission that the Defendant is liable in this action, that the Plaintiff has suffered any damages, or for any other reason; and
4. This Offer is made in the interest of judicial economy to the Court, the parties and their attorneys. The amounts specified in this Offer are in total settlement of the claims in this action, and said judgment herein is to have no affect whatsoever except in resolution of this case as set forth in Rule 68. Plaintiff shall not recover any fees, costs or other damages separate from this offer; and
5. Plaintiff's acceptance of Defendant's Rule 68 Offer of Judgment is subject to the Court's determination that said offer is in accordance with the requirements of Rule 68 of the Federal Rules of Civil Procedure and constitutes an offer of judgment as contemplated by F.R.C.P. 68.

Dated: New York, New York
October 7, 2013

Yours, etc.

s/Jacob J. Scheiner
Jacob J. Scheiner
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